

GOVERNMENT OF KERALA
ABSTRACT

Forest Department – Establishment – Disciplinary action against Forest Officials – Orders passed by Chief Conservator of Forests Appeal petitions filed – punishment imposed – orders issued.

FOREST & WILD LIFE (F) DEPARTMENT

G..O.(RT) No.336/89/F & WLD.

Dated, Trivandrum, 26-6-1989.

Read:- 1. Order No.B4-16529/82 dated 24-12-1982 from the Proceedings of the Chief Conservator of Forests, Trivandrum.
2. Letter No.B4-16529/82 dated 7-12-1983 from the Chief Conservator of Forests, Trivandrum.
3. Judgment dated 9-3-1989 of the High Court in OP. No.2085/89 filed by Sri. M.K. Porinchu, Forest Guard.
4. Letter No.A1 (3) 10253/88/GW dated nil – 5/89 from the Secretary, Kerala Public Service Commission, Trivandrum.

ORDER

The Chief Conservator of Forests, Trivandrum vide his proceedings read as first paper above, awarded the following punishments to the delinquent subordinates as noted against each:

- | | |
|---|---|
| 1. Sri. C. Chandran, Range Officer
Now Assistant Publicity Officer
Calicut. | Recovery of Rs.1000/- being part of the loss from his pay in 10 installments at Rs.100/- Each. Bar of one increment without Cumulative effect. |
| 2. Sri. K.C. Jayan, Forester | Recovery of proportionate amount of loss of Rs.4000/- i.e. Rs.675/- in 14 installments @ Rs.50/- each and last installment @ Rs.25/ (14 installments) and bar of one increment with cumulative effect. |
| 3. Sri. N. Sivanandan, Forest Guard.
4. "V. Achuthan, Forest Guard
5. "T.P. Antony, Forest Guard
6. T.P. Philip, Forest Guard
7. "M.K. Porinchu, Forest Guard | Recovery of balance loss of Rs.3325/- @ Rs.665/- from each in 22 installments at Rs.30/- each and marginal adjustment in the last installments from each and Bar of one increment with cumulative effect. |

For the following charges leveled against them:

1. That they failed to detect the illicit felling of one Rosewood tree, trace out the thondy and apprehend the accused resulting a loss of Rs.5000/- to Government.
2. That they actively connived in smuggling of Government timber.

3. That they tried to destroy the evidence to detect the irregularity.

2. The Chief Conservator of Forests vide his conference read as second paper above, has forwarded the appeal petitions from the delinquent officers serial as 1, 3, 4, 5 & 7 above for the consideration of Government.

3. Government have examined all the appeal petitions in detail with the relevant records received from the office of the Chief Conservator of Forests with particular reference to the statement on 19-5-1980 made by Sri. N. Sivanandan, Forest Guard before the then Rang Officer, Flying Squad, Trichur. The statement reveals that the officers in this Range were aware of the smuggling of Government timber, even before it was brought to light by the press (press cutting of Januayugam daily dated, 30-9-1978).. They are silent about this in the appeal petitions filed before Government nor did they point out that the statement made by Sri. Sivanandan was wrong. The Range Officer has felled on his part to act in spite of his willful knowledge of the smuggling and of the smugglers. Besides the piece of Rosewood tree traced out as evidence was also smuggled by the Range Officer, the Guard Sri. Philip, and the Forester Sri. Jayan. It is understood that the smuggling of the timber was made about 10 months before the news appeared in the press. Sri. T.P. Antony, Forest Guard took charge in this beat on 27-9-1978 and Sri. V. Achuthan, Forest Guard had a service only for 1 month and seven days before 24-5-1978. They are to be absolved from the charges against them. Similarly, Sri. Sivanandan, Forest Guard who is less experienced in service and also gave information to the Range Officer and also gave information to the Range Officer and co-workers about the smuggling then and there also deserves no punishment and the Government orders accordingly. The following officers are found to have failed in their roles in booking the smugglers and trying to recover the smuggled, wood and in trying to destroy the evidence i.e. the piece of wood, without reporting:

1. Sri. C. Chandran, Range Officer (now Assistant Publicity Officer, Calicut.)
2. Sri. K.C. Jayan, Forester.
3. Sri. T.P. Philip, Forest Guard.
4. Sri. M.K. Porinchi, Forest Guard.

4. The Hon'ble High Court in their judgment read as third paper above have directed to consider and pass orders on the appeal petition dated 14-2-1983 of Sri.M.K.Porinchi in this case.

5. And now, in consultation with the Kerala Public Service Commission, Government award the following punishment noted against each to the delinquent officers disposing of their appeal petitions:

- | | |
|--|---|
| 1. Sri. C. Chandran, Range Officer.
(Now Assistant Publicity Officer,
Calicut. | Recovery of Rs.1000/- from the total loss
of Rs.5000/- in 10 installments and barring
Of one increment with cumulative effects. |
|--|---|

2. Sri. K.C. Jayan, Forest
3. Sri. T.P. Philip, Forest Guard
4. Sri. M.K. Porinchu “

Recovery of the balance amount of Rs.4000, after deducting Rs.1000 from the total loss of Rs.5000 equally, from each person.

AND

Barring of one increment (next) without Cumulative effect of each person.

By order of the Governor,

MOHAMMAD RINZUDDIN,
Secretary (Forests)

To

Sri. C. Chandran, Range Officer,
Now Asst. Publicity Officer,
Calicut).

in duplicate through Chief Conservator of Forests) with attested copy of the letter from The Secretary, Kerala Public Service Commission.

Sri. K.C. Jayan, Forester
Sri. T.P. Philip, Forest Guard
Sri. M.K. Porinchu, Forest Guard.

Sri. T.P. Antony, Forest Guard
Sri. V. Achuthan, Forest Guard
The Chief Conservator of Forests, Trivandrum (with records receipt of which may be acknowledged).
The Secretary, Kerala Public Service Commission (with C.L)

/copy/

For Chief Conservator of Forests.

To

C.F., Trichur.

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